

United States District Court**for the****Eastern District of Washington**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Jun 08, 2021**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: James Thomas Brown

Case Number: 0980 2:20CR00024-SAB-3

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: October 20, 2020

Original Offense: Passing of Counterfeit Currency, 18 U.S.C. § 472

Original Sentence: Probation - 60 months Type of Supervision: Probation

Asst. U.S. Attorney: Richard R. Barker Date Supervision Commenced: October 20, 2020

Defense Attorney: John Stephen Roberts, Jr Date Supervision Expires: October 19, 2025

PETITIONING THE COURTTo issue a **warrant**.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p><u>Special Condition #5:</u> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.</p> <p><u>Supporting Evidence:</u> On May 16, 2021, James Brown allegedly violated special condition number 5 by consuming methamphetamine.</p> <p>On October 23, 2020, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of probation with Mr. Brown, as outlined in the judgment and sentence. He signed a copy acknowledging the requirements.</p> <p>On May 24, 2021, the undersigned officer received notification that the offender submitted to random urinalysis testing at Spokane Addiction Recovery Centers (SPARC) on May 18, 2021. According to the information received, the urine sample provided by Mr. Brown on that date was subsequently confirmed by a laboratory to be positive for amphetamine and methamphetamine.</p> <p>On May 26, 2021, this officer spoke with Mr. Brown about the results. He claimed he had only been consuming energy drinks, although the undersigned explained that energy drinks will not cause a positive test result for amphetamine and methamphetamine.</p>

Prob12C

Re: Brown, James Thomas

June 7, 2021

Page 2

On May 27, 2021, Mr. Brown contacted this officer and apologized for lying the day prior. The offender subsequently admitted to using methamphetamine on or about May 16, 2021, and he signed an admission of use form.

- 2 **Special Condition #4:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: James Brown allegedly violated special condition number 4 by failing to report for treatment at SPARC on May 20, 21, 24, 26, and 27, 2021, as scheduled.

On October 23, 2020, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of probation with Mr. Brown, as outlined in the judgment and sentence. He signed a copy acknowledging the requirements.

On June 2, 2021, this officer spoke with the offender's treatment provider at SPARC who informed this officer Mr. Brown had failed to report for group substance abuse treatment on May 20, 21, 24, 26, and 27, 2021, as scheduled.

- 3 **Special Condition #5:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On May 31, 2021, James Brown allegedly violated special condition number 5 by consuming methamphetamine.

On October 23, 2020, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of probation with Mr. Brown, as outlined in the judgment and sentence. He signed a copy acknowledging the requirements.

On June 7, 2021, the undersigned officer received notification from the residential reentry center (RRC) that Mr. Brown submitted to random urinalysis testing and provided a urine sample that tested presumptive positive for methamphetamine on May 31, 2021. According to the information received, the urine sample provided by Mr. Brown on that date was subsequently confirmed by a lab to be positive for amphetamine and methamphetamine on June 7, 2021.

- 4 **Special Condition #8:** You must reside in a residential reentry center (RRC) for a period up to 180 days at the direction of the supervising officer. Your participation in the programs offered by the RRC is limited to employment, education, treatment, and religious services at the direction of the supervising officer. The defendant shall abide by the rules and requirements of the facility.

Prob12C

Re: Brown, James Thomas

June 7, 2021

Page 3

Supporting Evidence: On June 7, 2021, James Brown allegedly violated special condition number 8 by being unsuccessfully discharged from the RRC.

On October 23, 2020, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of probation with Mr. Brown, as outlined in the judgment and sentence. He signed a copy acknowledging the requirements.

On June 7, 2021, this officer was informed by RRC staff that the offender would be unsuccessfully discharged from the program. The undersigned officer was informed that because the Bureau of Prisons (BOP) has a zero tolerance policy for drug use at the RRC, the offender would need to be unsuccessfully discharged.

The U.S. Probation Office respectfully recommends the Court issue a **warrant** requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 06/07/2021

s/Amber M.K. Andrade

Amber M.K. Andrade

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

6/8/2021

Date